

PROB 12C  
(7/93)

**United States District Court**  
for  
**District of New Jersey**

2005 SEP 22 A 9 57

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Toby Hassell

Cr.: 97-00470-001

Name of Sentencing Judicial Officer: The Honorable Maryanne Trump Barry

Date of Original Sentence: 08-05-98

Original Offense: Possession with Intent to Distribute Cocaine, 21 U.S.C. § 841(a)(1)

Original Sentence: 84 months imprisonment and three years supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 01-31-05

Assistant U.S. Attorney: Carolyn Murray

Defense Attorney: James Fine, Esq.

**PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

- 1      The offender has violated the supervision condition which states 'The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'

On July 26, 2005, the offender tested positive for heroin. In an interview with the probation officer on the same date, the offender, after admitting he used heroin on July 23, 2005, executed and signed an Admission of Drug Use form.

- 2      The offender has violated the supervision condition which states 'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'

On July 26, 2005, after the offender tested positive for and admitted to recently using heroin, he was instructed to report to the probation office on August 2, 2005. Hassell failed to report to the office on August 2, and he has not telephoned or reported to the probation office since July 26, 2005.